

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action mailed July 13, 2007. At the time of the Office Action, Claims 1-26 were pending in the Application. Applicant amends Claims 1, 3, 9, 11, 15, 17, 21, and 23. Applicant also cancels Claim 4 without prejudice or disclaimer. The amendments to these claims are not the result of any prior art reference and, thus, do not narrow the scope of any of the claims. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Section 112 Rejections

The Examiner rejects Claims 1-8, 11, 17 and 23 under 35 U.S.C., second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has made a series of amendments to the claims in order to address the Examiner's concern.

Section 102 Rejections

The Examiner rejects Claims 1, 2, 5-10, 12-16, 18-22 and 24-26 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2005/0007969 issued to Hundscheidt et al. (hereinafter "*Hundscheidt*"). This rejection is respectfully traversed for the following reasons.

Applicant respectfully reminds the Examiner that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.<sup>1</sup> In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim."<sup>2</sup> In regard to inherency of a reference, "[t]he fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the

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<sup>1</sup> *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131.

<sup>2</sup> *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990); MPEP §2131 (*emphasis added*).

inherency of that result or characteristic.”<sup>3</sup> Thus, in relying upon the theory of inherency, an Examiner must provide a basis in fact and/or technical reasoning to support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.<sup>4</sup>

No reference of record illustrates a GGSN that is coupled to a client services packet gateway (CSPG), the CSPG being operable to provide one or more network services to the end user, the network services being selected from a group of network services consisting of: accounting; firewalling; filtering; wireless application protocol transformations; compression; optimization; billing; and content authorization, as is recited in Independent Claim 1. There is simply no discussion of any such interaction between these two components, much less components that perform the operations as outlined by Independent Claim 1.

The other Independent Claims recite limitations similar, but not identical, to those recited in Independent Claim 1. Therefore, these claims are also allowable, for example, for the same reasons as identified above. Additionally, the corresponding dependent claims from these Independent Claims are also patentably distinct for analogous reasons. Accordingly, all of the pending claims have been shown to be allowable, as they are patentable over the references of record. Notice to this effect is respectfully requested in the form of a full allowance of these claims.

### Section 103 Rejections

The Examiner rejects Claims 3, 11, 17, and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Hundscheidt* in view of U.S. Patent Application Publication No. US 2003/018926 to Karjanlahti (hereinafter “*Karjanlahti*”). These rejections are moot in light of the arguments presented above: specifically, because no reference of record teaches several of the limitations of the pending subject matter and, hence, a proper §103 rejection cannot be sustained.

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<sup>3</sup> MPEP §2112 (citing *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ 2d 1955, 1957 (Fed. Cir. 1993) (*emphasis in original*).

<sup>4</sup> MPEP §2112 (citing *Ex Parte Levy*, 17 USPQ 2d 1461, 1464 (Bd. Pat. at App. and Inter. 1990) (*emphasis in original*).

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Thus, all of the pending claims have been shown to be allowable, as they are patentable over the references of record. Notice to this effect is respectfully requested in the form of a full allowance of these pending claims.

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CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

Applicant believes no fees are due; however, if this is not correct the Commissioner is hereby authorized to charge any amount required or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at 214.953.6675.

Respectfully submitted,  
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